

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no longer later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with John S. Sensny (Registration Number: 28,757) for Applicant on October 16, 2008.
3. The amendment filed July 16, 2008 has been entered. The instant Examiner's amendment is directed to said entered amendment.
4. The application has been amended as follow:

IN THE CLAIMS

5. **Replace** Claim 1 with claim 1 amended by Examiner set forth below:

A system for tracking and backing all the information that a user generates on computer devices, including embedded devices, in real time, the system comprising:

a local server to record all user actions and gestures; and
means for sending all of this information to a remote server via the Internet for backup,

wherein the remote server has a virtual map of all the embedded devices on a computer that the person uses, and the remote server interprets the user's actions, including user gestures;

wherein the remote server generates and downloads the same files that are downloaded on the local user computer devices;

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wherein the user's actions are stored in a database of user actions, the user's actions are interpreted by a translator server, the translator interprets which actions made by the user actually change the database, and this information is sent to a backup server, where it is decided what should be saved;

wherein the backup server also downloads files that were downloaded by the user;

wherein the user generates new data by using a program that generates new prime numbers;

and wherein the translator requires that some executables need to be downloaded in order for the server to be able to keep up with the user's actions, and wherein if the user has a program that can generate new data, the server downloads the same program that generates new prime numbers and enters the same commands as the user did.

REASON FOR ALLOWANCE

6. The followings are an examiner's statement of reasons for allowance:

The prior art of record fails to teach or suggest the limitation

“...wherein the user generates new data by using a program that generates new prime numbers;

and wherein the translator requires that some executables need to be downloaded in order for the server to be able to keep up with the user's actions, and wherein if the user has a program that can generate new data, the server downloads

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the same program that generates new prime numbers and enters the same commands as the user did ...”

in combination with the remaining elements as cited in claim 1.

7. The closest prior art, Beeler, Jr. (US 5,974,563) describes a user-defined file modification request is communicated to a primary server, which communicates the request to a secondary server. However, Beebler in view of Dulong (US 5,825,921), Kondo et al (US 5,586,254) and Kawamura et al (US 5,136,642) does not teach or suggest the limitations cited above as being free of any prior art when read in the claims as a whole.

8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid proceeding delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance”.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SyLing Yen whose telephone number is 571-270-1306. The examiner can normally be reached on Mon-Fri 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SyLing Yen
Examiner
Art Unit 2166

SY
October 20, 2008

/Hosain T Alam/
Supervisory Patent Examiner, Art Unit 2166